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ILLINOIS AND COMMERCE COMMISSION

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CHIEF CLERK'S OFFICE

ExteNet Systems, Inc. Application for a Certificate of Local and Interexchange Authority to Operate as a Reseller and Facilities Based Carrier of Telecommunications Services

No. 07-0110

EXTENET SYSTEMS INC.'S MOTION FOR A PROTECTIVE ORDER

ExteNet Systems, Inc. ("ExteNet"), by its attorneys, respectfully moves the Administrative Law Judge, pursuant to 220 ILCS 5/4-404 and 83 Ill.Adm. Code §200.430, for entry of a protective order.

In support of its motion, ExteNet states as follows:

- 1. As set forth in Section 4-404 of the Public Utilities Act, "[t]he Commission shall provide adequate protection for confidential and proprietary information furnished, delivered or filed by any person, corporation or other entity." 220 ILCS 5/4-404.
- 2. Section 200.430 of the Illinois Commerce Commission's (the "Commission") Rules of Practice similarly authorizes the Commission and its Administrative Law Judges to enter protective orders "to protect the confidential, proprietary or trade secret nature of any data, information or studies." 83 Ill.Adm. Code §200.430(a).
- 3. In support is its Application for a Certificate of Local and Interexchange Authority, ExteNet is filing financial documents and other materials that ExteNet deems confidential, and/or

confidential and proprietary ("Confidential Documents"). Specifically, is submitting a copy of its financial statement and its Chart of Accounts.²

- 4. ExteNet's Chart of Accounts and financial statement are confidential and proprietary information because ExteNet is a privately-held company and neither its accounting nor financial information is generally known or available publicly.
- 5. ExteNet closely guards its Chart of Accounts and financial information to ensure it does not become publicly disclosed. Financial information is not publicly disseminated, and ExteNet takes reasonable steps internally to protect this information. Disclosure of financial information is limited to ExteNet's counsel, board of directors, and employees of the company who are directly involved with its financial operations.
- 6. In the event that ExteNet is required to submit its financial information for review to governmental agencies, all such information is designated as confidential, and all reasonable steps are taken to protect the financial information from public disclosure.
- 7. In order to maintain the security and secrecy of ExteNet's Confidential Chart of Accounts and financial statement, ExteNet seeks protection for these documents through entry of a protective order granting protection for ExteNet's confidential documents from public disclosure for five years from the date of submission. 83 Ill.Adm. Code §200.430(b).

Confidential Exhibit 6 of Extenet's Application to Become a Telecommunications Carrier, filed concurrently with this Motion.

Confidential Exhibit 7 of Extenet's Application to Become a Telecommunications Carrier, filed concurrently with this Motion.

WHEREFORE, for all the reasons that are set forth above, ExteNet respectfully moves the Administrative Law Judge for entry of a protective order, and requests that its Chart of Accounts and financial statements be maintained as confidential until such order is entered.

Dated: February 2, 2007

Respectfully submitted,

Anita Taff-Rice

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Counsel for ExteNet

VERIFICATION

Anita Taff-Rice, being first duly sworn upon oath, states that she is counsel for ExteNet Systems, Inc.; that she is authorized to make this affidavit; and that she has read the foregoing Motion for a Protective Order, that she is familiar with the facts and matters set forth therein and that the same are true to the best of her information and belief.

Anita Taff-Rice

Subscribed and sworn to before Me this 2nd day of February, 2007

> LIZA S. QUESADA Commission # 1680127 Notary Public - California Contra Costa County

My Commission Expires: Aug 6, 2010